

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Powderdale Avenue, 115 ft.
W from c/l Gunder Avenue * ZONING COMMISSIONER
13218 Powderdale Avenue
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Wally S. Wallace, et ux * Case No. 97-412-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance for the property located at 13218 Powderdale Avenue, near Bird River in eastern Baltimore County. The Petition was filed by Wally S. Wallace and Dawn Wallace, his wife, property owners. Variance relief is requested from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (BCZR) to permit a single family dwelling on a lot 50 ft. in width, in lieu of the required 55 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the Petitioners/property owners, Wally S. Wallace and Dawn Wallace. Also present were neighboring property owners, Daniel and Brenda Puszczewicz who reside at 13215 Cherwin Avenue. There were no other Protestants or interested persons present.

Testimony and evidence presented was that the Petitioners have owned the subject parcel for less than a year, having acquired same in approximately August 1996. The subject property is roughly rectangular in shape, approximately 51 ft. in width and ranging in depth from 118 to 125 ft. Presently, the property is unimproved. The property features frontage on Powderdale Avenue, a public road in the Bird River community of Baltimore County. Although the property does not have frontage on the water, Bird

ORDER RECEIVED FOR FILING

Date

By

3/20/97
M. Hark

River is located nearby and the property is within the Chesapeake Bay Critical area.

Additional testimony and evidence offered was that the property is located within an older community, which was originally platted and laid out many years ago. Apparently, the lots as originally laid out were 25 ft. in width. Collectively, the Petitioners' property is known as lots 165 and 166 of the subdivision.

As noted above, Mr. and Mrs. Puszczewicz also appeared at the hearing. They own 8 individuals lots adjacent to the Petitioners' property. Four of the lots owned by the Puszczewicz front Cherwin Road and are known as lots Nos. 150 through 154. Mr. and Mrs. Puszczewicz reside in a single family dwelling which fronts Cherwin Avenue and is centered on these four lots. Their other holdings are four lots which constitute their rear yard, known as lots 167 through 170 of the subdivision. Their 4 lots abut Powderdale Avenue, and, collectively, is 100 ft. wide.

Apparently, both the Puszczewicz and Wallace properties was owned by a single property owner until 1996. At that time, the property owner sold the lands described above to Mr. and Mrs. Puszczewicz and the subject property to Mr. and Mrs. Wallace.

In support of their request for variance relief, the Petitioners offered copies of their building plans and elevation drawings. These plans have previously been reviewed and approved by the Office of Planning, as compatible with other houses in the neighborhood. It was also indicated that there are other dwellings in this subdivision which are on 50 ft. lots. Therefore, the proposed lot size and yard area will not be inconsistent with the existing neighborhood. Mr. Wallace also indicated that the site would not be graded so as to increase runoff on adjacent properties. Obviously, there will be some disturbance of the land as part

ORDER RECEIVED FOR FILING
Date 5/20/97
By Mr. G. G. G.

of the construction of the dwelling, however, the grade will remain substantially the same.

Mr. Puszczewicz indicated that he does not particularly object to the building but asked that several conditions be attached to any relief granted. First, he wants assurance that, during construction, construction equipment will not cross his property. As I indicated at the hearing, such a request is a civil matter and is not appropriate for incorporation in my Order. Obviously, Mr. and Mrs. Puszczewicz have the right to protect their property as they see fit. They may deal with any trespass upon their property through the appropriate criminal/civil procedures available in the Court system.

Second, Mr. Puszczewicz asked that a privacy fence be constructed to separate the properties. Subject to the zoning and building code sections, there is nothing to prevent Mr. Puszczewicz from installing a fence along his part of the property line. If he wishes to install such a buffer, so be it. However, I do not think it appropriate to require the Petitioners to install a fence unless they desire to do so. Obviously, any fence must be in compliance with the applicable zoning regulations and codes.

Third, Mr. Puszczewicz asked that an escrow account be established containing funds from which he may make a claim for any damages done to his yard during construction. Again, this is not an appropriate matter for the Zoning Commissioner, rather an issue which should be addressed directly between neighbors or in a court of law.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. The proposed dwelling is an appropriate use for this property. In my judgment, the Petitioners have satisfied the requirements of Section 307 of the BCZR, as construed by the case law.

ORDER RECEIVED FOR FILING
Date 2/20/97
By Mr. G. G. G. G.

The only restriction which I shall impose is that the property owners must comply with the requirements of the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division as they relate to the Chesapeake Bay Critical Area and floodplain regulations. Also, the Petitioners shall not change the grade of the property and shall take appropriate steps (e.g., installation of downspouts and rain gutters) to prevent discharge of storm water onto adjacent properties. All such devices shall be reviewed and approved by DEPRM.

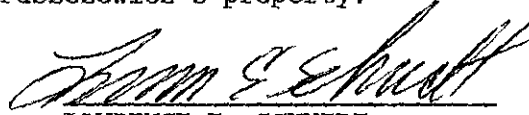
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of May, 1997 that a variance from Sections 1B02.3.C.1 and 304 of the BCZR to permit a single family dwelling on an undersized lot of 50 ft. in width, in lieu of the required 55 ft., be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated April 16, 1997.
3. The Petitioners shall comply with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Development Plans Review Division dated April 14, 1997.
4. The Petitioners shall not materially alter the grade of the property, so as to not increase storm water runoff onto adjacent properties and shall, at the advice and direction of DEPRM,

ORDER RECEIVED FOR FILING
Date 5/20/97
By M. P. Povah

install such devices (downspouts, gutters, etc.)
as are necessary to control and direct storm
water away from the Puszczewicz's property.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

ORDER RECEIVED FOR FILING
DATE 5/20/97
BY M. G. G. G.



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 19, 1997

Mr. and Mrs. Wally S. Wallace
7019 Greenbank Road
Baltimore, Maryland 21220

RE: Case No. 97-412-A
Petition for Zoning Variance
Property: 13218 Powderdale Avenue, Twin Rivers

Dear Mr. and Mrs. Wallace:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. and Mrs. Daniel Puszczewicz
13215 Cherwin Avenue
Baltimore, Maryland 21220



RE: PETITION FOR VARIANCE
13218 Powderdale Avenue, N/S Powderdale
Avenue, 115' W from c/l Gunder Avenue
15th Election District, 5th Councilmanic

Legal Owner(s): Wally and Dawn Wallace
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-412-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Wally and Dawn Wallace, 7019 Greenbank Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-412-A

13218
POWDERDALE AVE TWIN RIVERS

which is presently zoned O.R. 5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

TO PERMIT A SINGLE FAMILY DWELLING ON AN UNDERSIZE LOT (50' IN LIEU OF 55' WIDTH) 1802.3.C.1 & 304; BCZR,

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

WALLY S WALLACE

(Type or Print Name)

Wally S Wallace

Signature

DAWN WALLACE

(Type or Print Name)

Dawn M Wallace

Signature

7014 GREENBANK RD 335-3496

Address

Phone No

BALTIMORE MD 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

SAME

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jim DATE 3-24-97

412



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

Zoning Discription

97-412-A

Beginning at a point on the N38 49'E side of Powderdale Ave.

Which is 30 feet wide at the distance of 115.8 feet, N51 11'W

of the centerline of the nearest improved intersecting street Gunder Ave.

which is 30 feet wide. *being lot 165, 166, Block _____ Section #(A)

in the subdivision of Citygo Realty Co. as recorded in Baltimore County

Plat Book #9, Folio #33, containing 6,137 ^{FT²}. Also known as lot 165,

**¹³²¹⁸
166, Powderdale Ave and located in the 15th Election District.**

97-412-A

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Town Hall on the property identified herein as follows:

Case #57-412-A
13218 Powder Mill Avenue

MS Powder Mill Avenue, 115
W. from of Gander Avenue
15th Election District

5th Councilmanic

Legal Owner(s):

Wally S. Wallace and Dawn

Wallace

Variance: to permit a single

family dwelling on an under-

sized lot (50 feet wide) in lieu

of 55 foot width.

Hearing: Tuesday, May 8,

1997 at 3:00 p.m., 4th floor

hearing room, Courts Bldg.,

401 Bockley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible, for

special accommodations

Please Call 987-3353.

(2) For information concern-

ing the File and/or Hearing,

Please Call 987-3391

4/188 April 10 C134004

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 10, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 10, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

028760

DATE 3-25-97 ACCOUNT Pool-6152

AMOUNT \$

50.00

RECEIVED
FROM:

WALLY WALLACE 13218 Popover Rd. Md.

VAR. (010)

FOR:

D3A91#0162MICHRC
BA 0011:54AMD3-25-97

\$50.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jcm



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 412

Petitioner: WALLY WALLACE

Location: 13218 POWDERDALE AVE.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WALLY WALLACE

ADDRESS: 7019 GREENBANK RD.

BALTO., Md. 21220

PHONE NUMBER: 335-3496

AJ:ggs

(Revised 09/24/96)

ADMINISTRATIVE VARIANCES
CLOSING DATE.....May 5, 1997

CASE NUMBER: 97-435-A
8720 Wendell Avenue
NWC intersection of Wendell Avenue and Delpha Court
14th Election District - 6th Councilmanic
Legal Owner(s): Mary Kathleen Farrell

Administrative Variance to permit a rear yard setback of 14 feet for a
deck in lieu of the required 22.5 feet.

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-412-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: A VARIANCE TO PERMIT A SINGLE
FAMILY DWELLING ON A LOT 50' WIDE
IN LIEU OF THE REQUIRED 55'.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case # 97-412- *A*

Petitioner/Developer:
(Wally Wallace)
Date of Hearing/~~Closings~~
(May 6, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

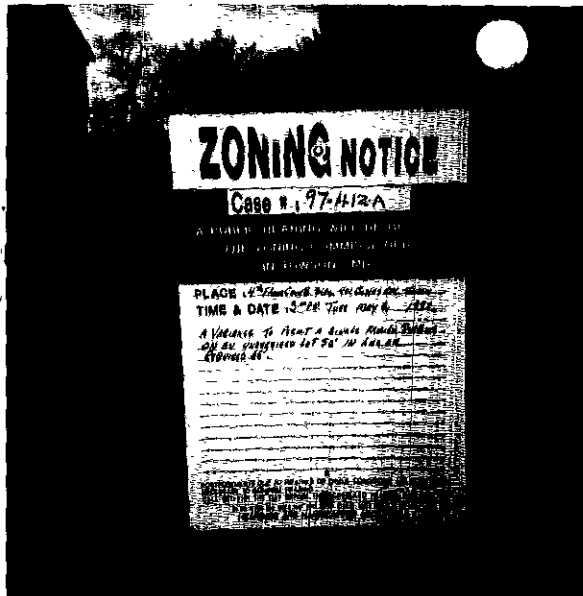
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

_____ 13218 Powderdale Ave. , Baltimore, Maryland 21220 _____

The sign(s) were posted on _____ April 18, 1997 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr. 4/18/97
(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____
(Printed Name)

_____ 325 Nicholson Road _____
(Address)

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)

97-412-A

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

B _____
Permit Number

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ WALLY WALLACE 7019 GREENBANK RD 335-7458
Print Name of Applicant Address Telephone Number

☐ Lot Address POWDERDALE AVE. Election District 15 Council District 5 Square Feet 6,137
Lot Location: (N E S W side) corner of POWDERDALE AVE. 108.2 feet from (N E S W) corner of GUNDER AVE.
(street) (street) 0415 22000 27561/6484.

Land Owner WALLY & DAWN WALLACE Tax Account Number 373030K

Address 7019 GREENBANK RD Telephone Number 335-3496
BALTIMORE, MD 21220

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application	—	✓
3. Site Plan	✓	
Property (3 copies)	✓	
Topo Map (available in Rm 206 C.O.B.) (2 copies)	✓	
(please label site clearly)		
4. Building Elevation Drawings	✓	
5. Photographs (please label all photos clearly)		
Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

RECEIVED

MAR 26 1997

**OFFICE OF
PLANNING**

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

97-412-A

Signed by: Ervin McDaniel
for the Director, Office of Planning & Zoning

Date: 3/28/97

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT.

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by J. MEPPY on 3-25-97
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 4-4 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 4-21 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-24 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

CK/UNDER.LOT (TXTSOPH)

SCHEDULE DATES, CERTIFICATE OF FILING POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

County Office Building
111 W. Chesapeake Avenue
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after the required public special hearing.

*SUGGESTED POSTING DATE 4-4 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 4-21 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-24 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

CK/UNDER.LOT (TXTSOPH)

To: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

☐ WALLY WALLACE 7019 GREENBANK RD 335-9458
 Print Name of Applicant Address Telephone Number
☐ Lot Address POWDERDALE AVE Election District 15 Council District 5 Square Feet 6,137
 Lot Location: N E S W (side) corner of POWDERDALE AVE, 108.2 feet from N E S W corner of GUNDER AVE,
 (street) (street) APR 04 15 2200027561/1484
 Land Owner WALLY & DAWN WALLACE Tax Account Number 373030R
 Address 7019 GREENBANK RD Telephone Number 335-3496
BALTIMORE, MD 21220

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input type="checkbox"/>
3. Site Plan		
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C.O.B.) (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(please label site clearly)		
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)		
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid
Codes 030 & 080 (\$25)

Accepted by _____
ZAOM

Date _____

RECEIVED

MAR 26 1997

OFFICE of
PLANNING

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

97-412-A

Signed by:

for the Director, Office of Planning & Zoning

Date:

3/8/97

TO: PUTUXENT PUBLISHING COMPANY
April 10, 1997 Issue - Jeffersonian

Please forward billing to:

Wally Wallace
7019 Greenbank Road
Baltimore, MD 21220
335-3496

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-412-A
13218 Powderdale Avenue
N/S Powderdale Avenue, 115' W from c/l Gunder Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Wally S. Wallace and Dawn Wallace

Variance to permit a single family dwelling on an undersized lot (50 feet wide) in lieu of 55 foot width.

HEARING: TUESDAY, MAY 6, 1997 at 3:00 p.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-412-A
13218 Powderdale Avenue
N/S Powderdale Avenue, 115' W from c/l Gunder Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Wally S. Wallace and Dawn Wallace

Variance to permit a single family dwelling on an undersized lot (50 feet wide) in lieu of 55 foot width.

HEARING: TUESDAY, MAY 6, 1997 at 3:00 p.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Wally and Dawn Wallace

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 21, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4 . 4 . 97
Item No. 412 J C M

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

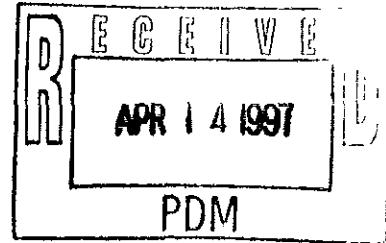
INTEROFFICE CORRESPONDENCE

Date: April 14, 1997

[illegible]

ZONE414.412

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 412 & 420

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495

Prepared by:

Jeffrey W. Long

Division Chief:

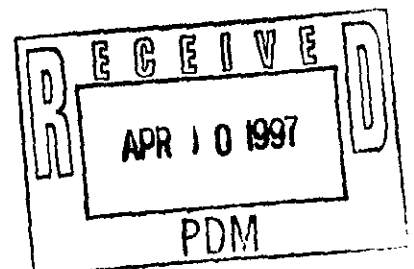
Carol L. Kerns

AFK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410) 887-4880

April 9, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF April 7, 1997

Item No.: See Below Zoning Agendas

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plan for the property.

3. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

410, 412, 413, 415, 416, 420, and 424

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MD-11021

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 412 & 420

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Prepared by:

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Division Chief:

Carol Kerns

AFK/JL

_____ Attach original petition

Due Date 4/16/97

To: Arnold L. Jablon

From: Robert A. Wirth *RAW/jp*

Subject: Zoning Item #412

Wallace 13218 Powderdale Avenue

Zoning Advisory Committee Meeting of April 7, 1997

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

DANIEL PUSZCZEWICZ

13215 CHERWIN AVE.
BALTIMORE, MARYLAND. 21220

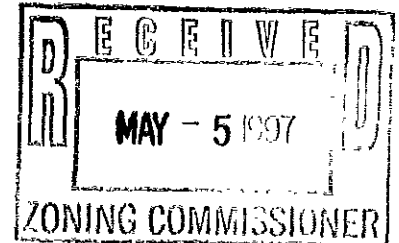
Home Phone 410-335-6726

Handwritten: 5/6
Handwritten: [Signature]

April 29, 1997

Mr. Lawrence Schmidt:
Zoning Commissioner
Old Courthouse
400 Washinton Ave.
Room 112
Towson, Maryland 21204

Re: Case No. 97-412-A



Dear Mr. Schmid:

This letter is being written pertaining to the above referenced case number. I am the owner of 13215 Cherwin Ave. I am writing this letter to object to the variance filed by the Wallaces' to build a single family dwelling which requires 55 feet of property. I do not particularly object to the building of a dwelling. What I do object to is that knowing there will only be 10 ft between the property and mine, thus creating a very tight working environment for construction. I do not think this is enough room. I think there is a great possibility that construction could overlap. I am very concerned about this encroachment and the possibility of property depreciation. I have spent a considerable amount of time and money purchasing this property. I have a great deal of pride for this property and keep it in a very reputable condition. For this reason I am asking that the Wallaces', before construction, provide an eight foot privacy fence dividing my property and their property. The fence could possibly be located on the property line. I am also asking that an escrow account with \$500.00 be set up for any possible damages to my property.

If there are any problems or if you would like discuss this matter further, please do not hesitate to contact either me or my wife at (410) 335-6726. I hope to be able to attend the hearing on May 6th.

Sincerely,

Daniel and Brenda Puszczewicz

Handwritten signatures:
Daniel Puszczewicz
Brenda Puszczewicz

April 29, 1997

Mr. Lawrence Schmidt
Zoning Commissioner
Old Courthouse
400 Washington Ave.
Room 112
Towson, Maryland 21204

Re: Case No. 97-412-A

Dear Mr. Schmidt:

This letter is being written pertaining to the above-referenced case number. I am the owner of 13215 Cherwin Avenue. I am writing this letter to object to the variance filed by the Wallaces' to build a single family dwelling which requires 55 feet of property. I do not particularly object to the building of the dwelling. What I do object to is that knowing there will only be 10 feet between there property line and mine, means that they will only be giving the builders with their trucks and equipment ten feet of there property on my side to work with. I do not only think this is not enough room but I think the greatest possibility is that these builders will be using not only their ten feet of property but also part of my property for equipment. I spend a considerable amount of time keeping my yard and property in reputable condition. For this reason I am asking that the Wallaces' provide a six foot privacy fence dividing my property and their property. The fence can be put on my property with a 2.5 foot setback. I am also asking that an escrow account with \$500.00 be set up for any damages done to my yard and property.

If there are any problems or if you would like to discuss this matter further, please do not hesitate to contact me at (410) 335-6726. I will also be attending the hearing on May 6th.

Very truly yours,

Daniel and Brenda Puszczewicz

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Wally Wallace
Dawn Wallace

7019 GREENBANK RD
7019 GREENBANK RD



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

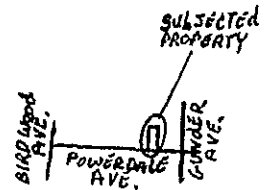
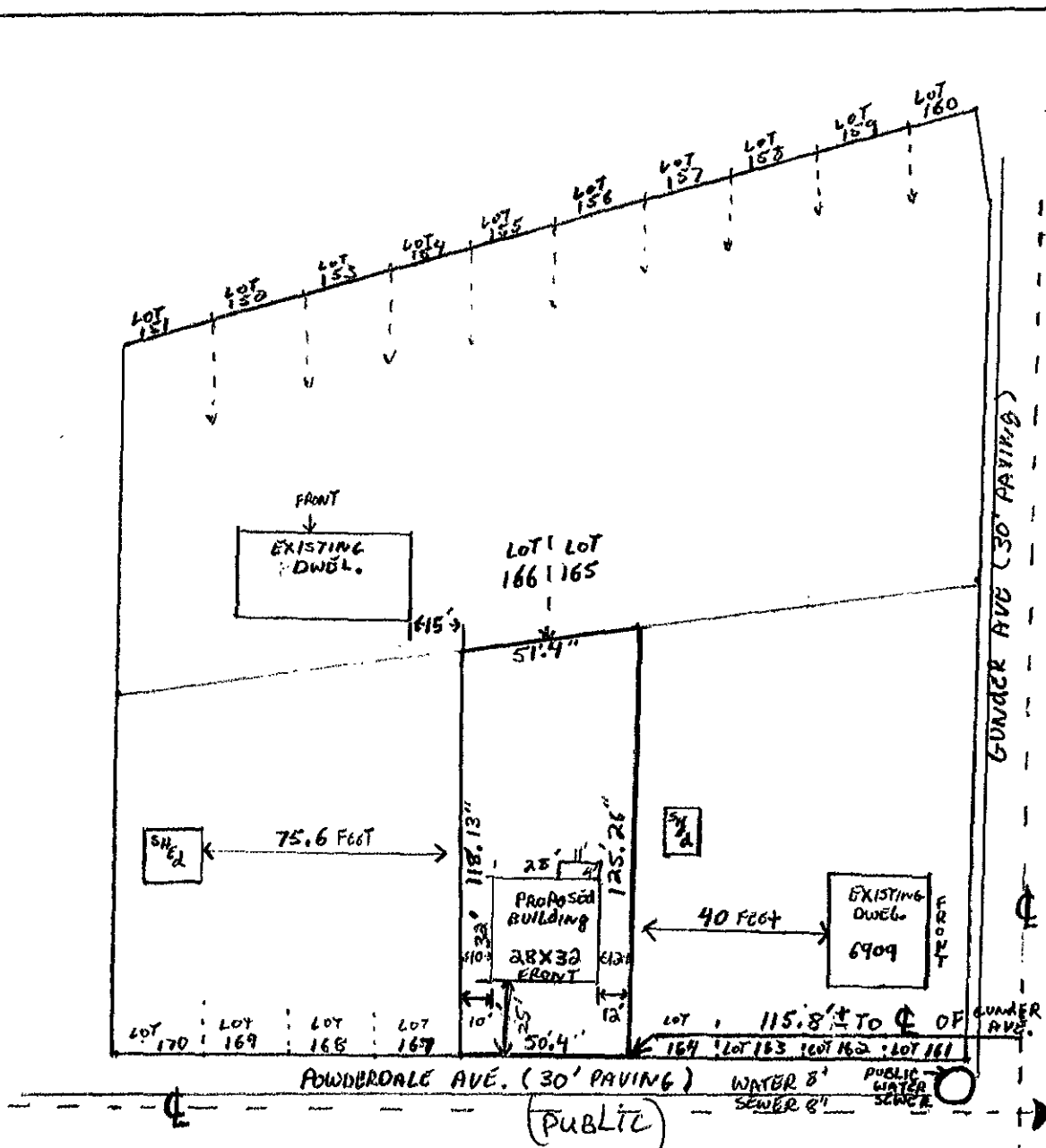
Daniel T. Puszczewicz
Brenda B. Puszczewicz

13215 Charwin Ave
13215 Charwin Ave
212-20

Plat to accompany petition for Zoning ☒ Variance ☐ Special Hearing

Property Address: 13138 Powderdale Ave
 Plat book# 9, folio# 33, lot# 165, 166, section# A

Owner: Wally & Dawn Wallace



North
 Vicinity Map
 Scale: 1"=1000'

Location information

Councilmanic District: 5

Election District: 15

1"=200' scale map#: NE-8-M

Zoning: D.R. 5.5

Lot size: .14 acreage 6,137 square feet

8" Sewer: Public

8" Water: Public

Chsapeake Bay Critical Area: Yes

Prior Zoning Hearings: NO

Zoning Office Use Only!

reviewed by _____ item# _____ case# _____

97-412-A

↑
 NORTH
 Date: 3-6-97
 Prepared by: W.N.

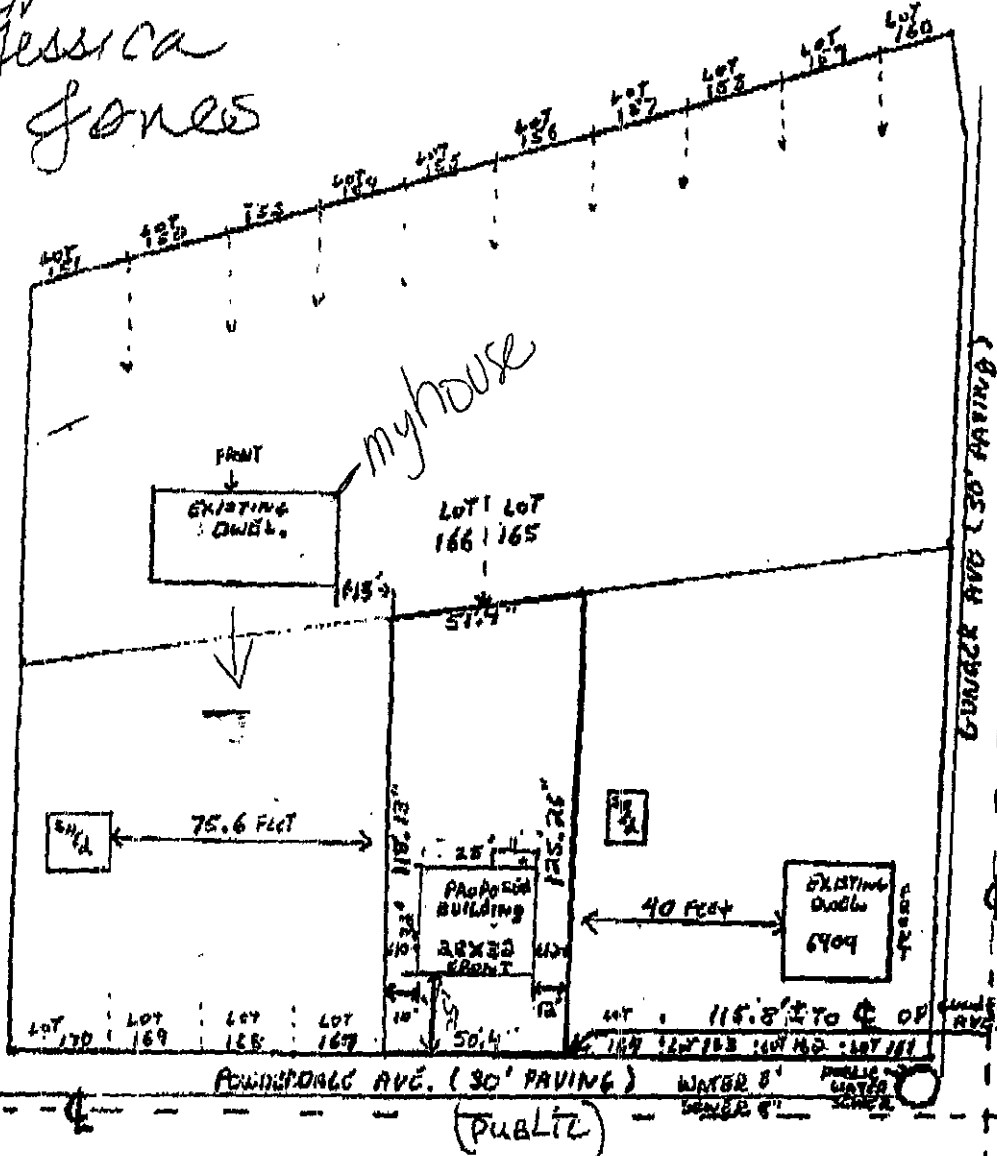
Scale of Drawing: 1"=50'

APPLICANT/PETITIONER AFFIRM THAT THE 25' SETBACK FOR THE PROPOSED DWELLING MEETS THE FRONT AVERAGING REQUIREMENTS OF SECTION 303.1, BCZF.
Wally Wallace DATE: 3-24-97

Plat to accompany petition for Zoning ☒ Variance ☐ Special Hearing

Property Address: 14118 Rockdale Ave

Plat book# 1, folio# 22, lot# 165, 166, section# A

Owner: Wally & Dawn Wallace

Location Information

Councilmanic District: 5Election District: 151"=200' scale map#: NE-5-11Zoning: D.R. 5.5Lot size: .14 6137
acreage square feetSewer: PublicWater: PublicChesapeake Bay Critical Area: YESPrior Zoning Hearings: NO

Zoning Office Use Only!

reviewed by _____

term: _____

case# _____

NORTH

Date: 3-6-97

Prepared by: W/W

97-412-A

Scale of Drawing: 1"=50'

Applicant/Petitioner Affirm THAT THE 25' SETBACK
FOR THE PROPOSED DWELLING MEETS THE FRONT
AVERAGING REQUIREMENTS OF SECTION 303.1, BC2B

Wally Wallace

DATE 3-24-

686-018

CHERTON AVE.

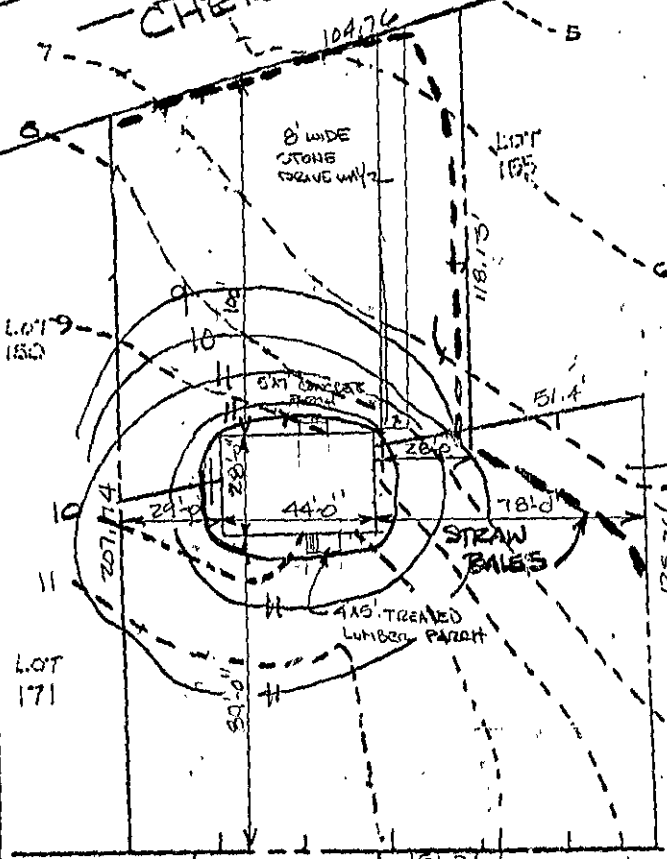
NOTES

1. F.F. ELEV. -
BASEMENT ELEV. -
NO GARAGE
ELEV. 11.2 WILL BE
HELD AROUND
BUILDING
2. DIST. AREA = 15,200 #
3. PUBLIC WATER &
SEWER AVAILABLE

Shaded Area
Solo Separately

GRADE PLAN

LOTS 151-154 &
165-170
"TWIN RIVER BEACH"
SEC. A
15TH DIST.
BALTO., CO. MD.



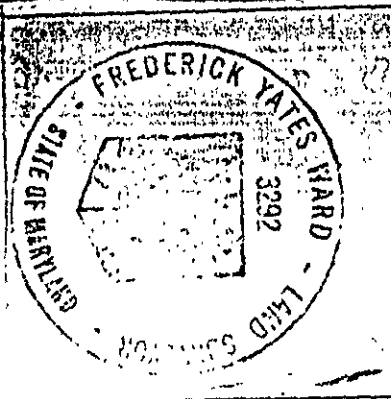
POWDERDALE AVE.



Azimuth Consultants

120 Cockeysville Road Suite 105
Hunt Valley, MD 21031

Scale: 1"=40' Date: 10-13-87

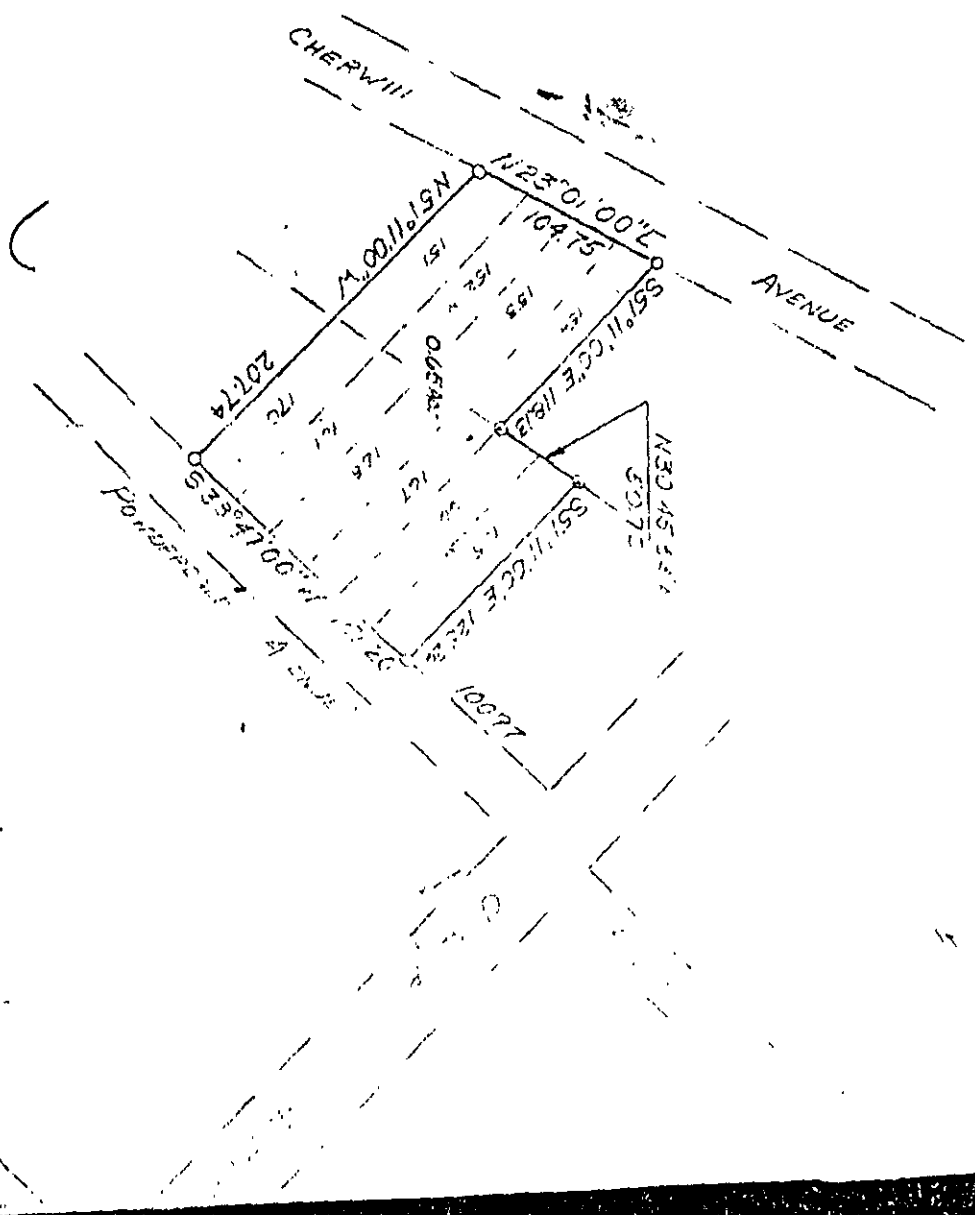


TWO PARCELS OF LAND SURVEYED
FOR JAMES CROUSE....
Located at Twin River Beach, Baltimore
County, Maryland....

DATE 1-6-69
SCALE 1" = 100'
PLAT NO. C-69-3

Frederick Ward
Surveyor

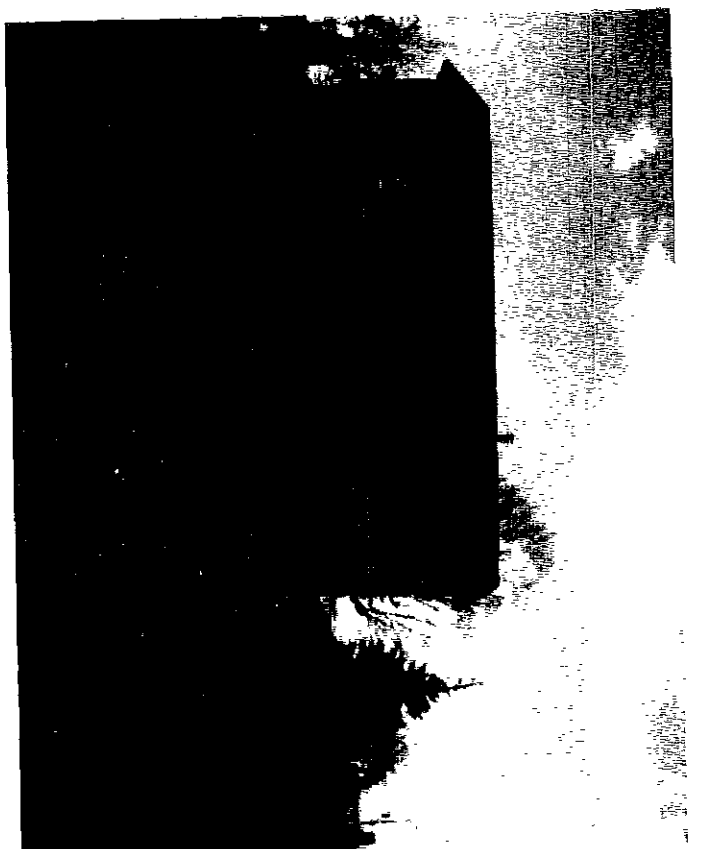
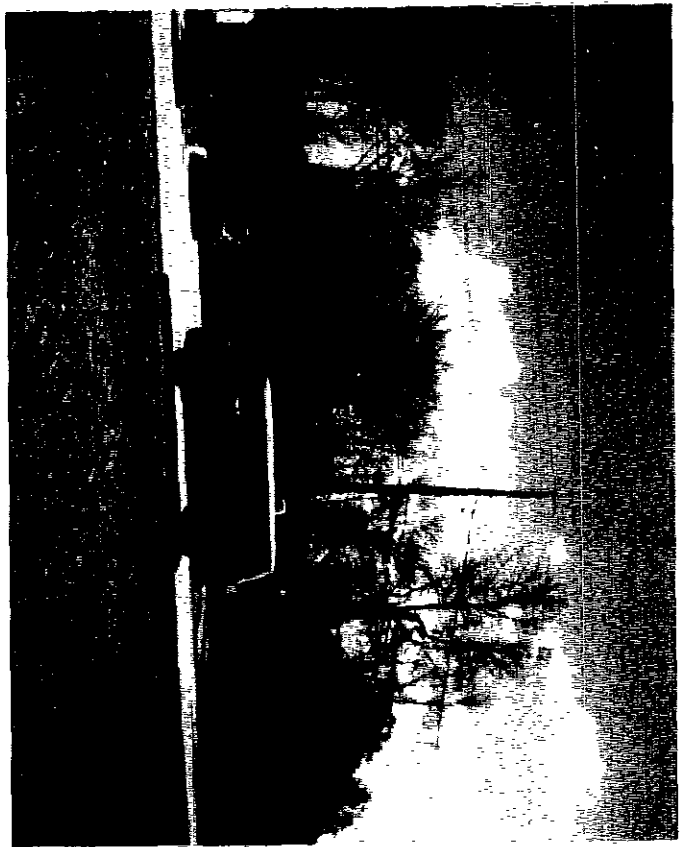
RECORDED & INDEXED
JAN 10 1969
BALTIMORE COUNTY





97-412-A



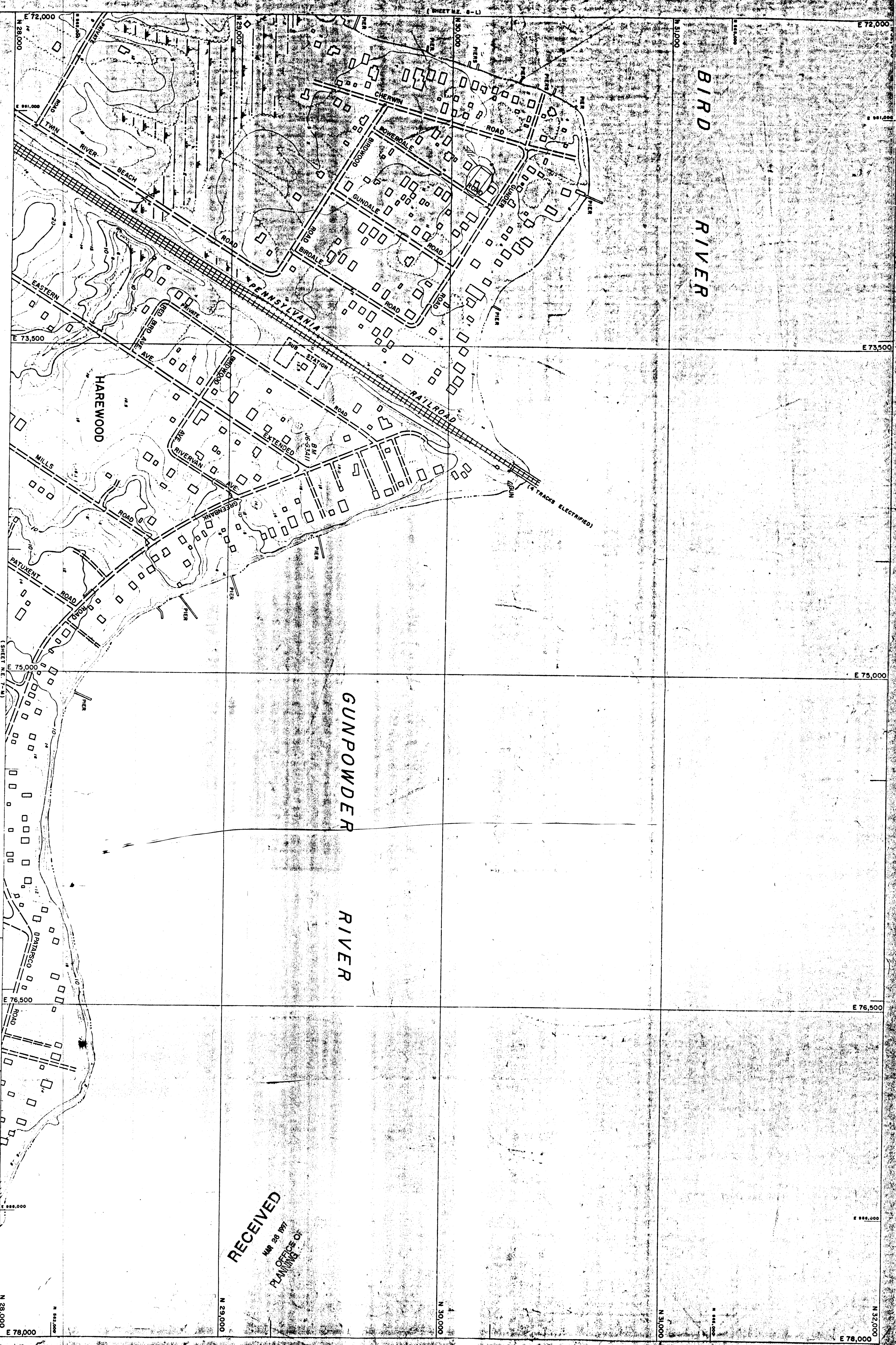






PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

M-M-SW M-M-SE
M-M-NW M-M-NE



REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
		1" = 200'	HAREWOOD	N.E. 8-M
		DATE OF PHOTOGRAPHY		
		DEC. 1954		

Topography Compiled By Photogrammetric Methods
ABRAMS AERIAL SURVEY CORP. LANSING MICH.

RECEIVED
MAR 28 1954
OFFICE OF
PLANNING